

Exhibit F

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30(B)(6) NPBL by designee CANNON MOSS - February 14, 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,)
Individually and on behalf)
of NORFOLK & PORTSMOUTH)
BELT LINE RAILROAD)
COMPANY,)
)
Plaintiff,)
)
V.) NO. 2:18cv530
)
NORFOLK SOUTHERN RAILWAY)
COMPANY, NORFOLK &)
PORTSMOUTH BELT LINE)
RAILROAD COMPANY, JERRY)
HALL, THOMAS HURLBUT,)
PHILIP MERILLI and CANNON)
MOSS,)
)
Defendants.)

C O N F I D E N T I A L

30(b)(6) DEPOSITION UPON ORAL EXAMINATION OF

NPBL by its designee CANNON MOSS

TAKEN ON BEHALF OF THE PLAINTIFF

Norfolk, Virginia

February 14, 2020

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1 A The rate for when we switch a customer?

2 Q (Nodding)

3 A Is charged to the railroad bringing in
4 the freight.

5 Q Is there -- so there's no charge from the
6 Belt Line to, say, a PMT or a VIT for coming onto
7 the --

8 A Not for coming on the property.

9 Q Okay. Are you aware of any charges that
10 the Belt Line pays to VIT, NIT, PMT, VIG?

11 A Any charges the Belt Line pays to them?

12 Q To them, yeah.

13 A No.

14 Q Okay. Are you aware of any revenue that
15 is received from the entities I just mentioned to the
16 Belt Line for services provided?

17 A Yes, we have gotten revenue from the port
18 before for various moves. We handle the windmill
19 blades and we had a special switch charge, so every
20 time we spotted them, the port had to pay for that.

21 Q So there are specific instances when the
22 port will actually be a customer of the Belt Line and
23 pay for its services?

24 A Yes.

25 Q Okay. Do you know how much of the

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1 Belt Line's revenue is derived from providing services
2 for its customers?

3 A All of it.

4 Q Do you know --

5 A All of it, except for we have some
6 leases, signs at Port Norfolk, and they have a building
7 we lease out. The majority of it is from switching
8 services for our customers.

9 Q When you say "majority," you correct me,
10 is it probably over 90 percent?

11 A Yes.

12 Q Okay. Under the present management of
13 the Belt Line, you are the president and general
14 manager.

15 You have one vice president?

16 A Two.

17 Q Okay. And who are they and what are
18 their titles?

19 A There's Donna Coleman, she's the
20 vice president, corporate secretary and comptroller and
21 Bill O'Brien who is the vice president of operations.

22 Q How long has Miss Coleman been an
23 employee of the Belt Line?

24 A About 11, 12 years.

25 Q And do you know where she was employed

1 A Correct.

2 Q And what is the adjustment that's being
3 factored in from the projected results for the
4 projected results adjusted?

5 A I believe it was for the injury accrual.

6 Q Operating expense per car was -- the goal
7 was \$208 and the projected results adjusted was 214.

8 So that's -- that goal was also not met; correct?

9 A Correct.

10 Q Would the operating expense per car go
11 down with a volume increase?

12 A In theory, yes.

13 Q From your experience, is that true?

14 A Yes.

15 Q Okay. If we look at the second page of
16 what we collectively marked as this exhibit, what is
17 this chart or these figures representing?

18 A The goals for the 2017 bonus program.

19 Q So by -- am I following this correctly by
20 2017, we've got an operating expense or goal of 218?

21 A I would assume so.

22 Q Do you know who prepared this document?

23 A I did. But given -- I don't know what
24 context. It's got exhibit numbers. I don't know -- I
25 put together something like this for the board, but